

Message Text

LIMITED OFFICIAL USE

PAGE 01 ALGIER 02090 170702Z
ACTION NEA-10

INFO OCT-01 ISO-00 COME-00 L-03 EB-08 /022 W
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FM AMEMBASSY ALGIERS
TO SECSTATE WASHDC 8840
INFO AMCONSUL ORAN POUCH

LIMITED OFFICIAL USE ALGIERS 2090

E.O. 11652: N/A
TAGS: BGEN, ETRD, EINV, AG
SUBJECT: ADMINISTRATION OF FOREIGN COMMERCE LAW

REF: A. STATE 179155, B. ALGIERS A-11, C. ALGIERS A-15,
D. 77 ALGIERS 3219

1. LAW PROHIBITS USE OF AGENTS (I.E. COMMISSION AGENTS)
OF ANY NATIONALITY, NOT JUST THOSE OF SAME NATIONALITY
AS FIRM. WE BELIEVE THIS PROVISION BEING STRICTLY
ENFORCED.

2. LAW REQUIRES THAT SALARIED MANAGER OF ALGERIAN
OFFICE OF FOREIGN FIRM BE OF SAME NATIONALITY AS FIRM.
WE HAVE BEEN TOLD BY COMPETENT ALGERIAN LAWYER THAT THIS
MEANS, FOR EXAMPLE, THAT THE LOCAL OFFICE OF XYZ
MANUFACTURING COMPANY (UK) LIMITED, A BRITISH SUBSIDIARY
OF XYZ MANUFACTURING COMPANY, INCORPORATED OF PUNXSU-
TAWNEY, PENNSYLVANIA, MUST BE BRITISH. THIS PROVISION
OF LAW NOT BEING STRICTLY ENFORCED AND WE SUSPECT THAT
IT WILL BE USED ONLY WHEN GOA AUTHORITIES WANT EXCUSE
TO EXPEL A REPRESENTATIVE WHO FOR WHATEVER REASON HAS
DISPLEASED THEM. WE WILL, HOWEVER, POLL OUR COLLEAGUES
IN OTHER EMBASSIES TO SEE IF THEY HAVE A DIFFERENT
IMPRESSION.

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3. WE SUGGEST THAT FIRMS NEW TO ALGERIA ATTEMPT TO
OBTAIN WRITTEN GOA PERMISSION TO APPOINT MANAGERS OF
WHATEVER NATIONALITY THEY CHOOSE OR, FAILING THAT, OF
SOME ONE NATIONALITY OTHER THAN THAT OF THE FIRM. THE
ALGERIAN CLIENT FIRM COULD PRESUMABLY HELP IN OBTAINING
SUCH PERMISSION.HAYNES

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